

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Irwin J. Griffith et al.

Serial No.: 08/737,904

Filed: November 20, 1996

For: T CELL EPITOPES OF RYEGRASS POLLEN
ALLERGEN

Attorney Docket No.: IMI-040CP3 (075.1US)

Group Art Unit: 1644

Examiner: R. Schwadron

BOX SEQUENCE

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER FOR DISKETTE OF SEQUENCE LISTING

Dear Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures, and the Examiner's Communication dated March 2, 2000, we enclose a diskette which contains a computer readable form of the Sequence Listing for the above-identified application.

Substitute pages 47 - 66 are submitted herewith. The material on the enclosed diskette is identical in substance to the enclosed sequence listing. The computer readable form of the Sequence Listing contained on the enclosed diskette is understood to comply with the requirements of §§ 1.821-1.825. No new matter has been added.

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Sequence, Assistant Commissioner for Patents, Washington, DC 20231 on:

March 31, 2000
Date

Jeanne M. DiGiorgio
Jeanne M. DiGiorgio, Reg. No. 41,710

Respectfully submitted,

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APR 11 2000

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TECH CENTER 1600/2900

March 31, 2000

BOX SEQUENCE
Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U. S. Patent Application Serial No. 08/737,904
Title: *T CELL EPITOPES OF RYEGRASS POLLEN ALLERGEN*
Applicant(s): Irwin J. Griffith, et al.
Filed: November 20, 1996
Examiner: R. Schwadron; Group Art Unit: 1644
Attorney Docket No. IMI-040CP3

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Preliminary Amendment;
2. Response to Notice to Comply with Requirements for Patent Application Containing Nucleotide and/or Amino Acid Sequence Disclosures;
3. A copy of "Notice to Comply with Requirements for Patent Application Containing Nucleotide and/or Amino Acid Sequence Disclosures";
4. A copy of Examiner's Communication;
5. Substitute pages 47-66 containing the Sequence Listing;
6. Transmittal letter for Diskette of Sequence Listing;
7. Diskette containing the Sequence Listing; and
8. Return receipt postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Sequence, Washington, DC 20231 on:

March 31, 2000

Date

Jeanne M. DiGiorgio
Jeanne M. DiGiorgio, Reg. No. 41,710

Respectfully submitted,

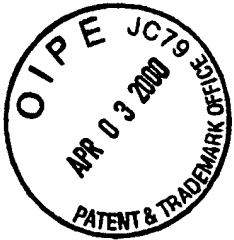
LAHIVE & COCKFIELD, LLP

Jeanne M. DiGiorgio
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.



EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Figure 2 and Table disclose sequences containing hydroxyproline. The SEQ. IDS which are suppose to represent said sequences recite proline instead of hydroxyproline. Applicant needs to submit sequence listings for said sequences which indicate that the hydroxyproline amino acids in said sequences are hydroxyproline. Applicant should check the specification for other such sequences.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to Examiner Ron Schwadron, Ph.D., Art Unit 1644, whose telephone number is (703) 308-4680. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

COPY

APR 11 2000

RSJ

RONALD B. SCHWADRON
PRIMARY EXAMINER
GROUP 1800 1600

Ron Schwadron, Ph.D.
February 29, 2000

COPY

Application No.: 08737904

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: SEE ENCLOSED NOTE

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

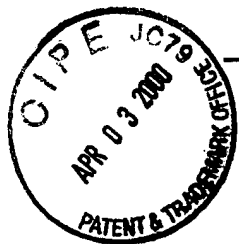
For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 11 2000



In re the application of: Irwin J. Griffith et al.

Serial No.: 08/737,904

Filed: November 20, 1996

For: T CELL EPITOPES OF RYEGRASS POLLEN
ALLERGEN

Attorney Docket No.: IMI-040CP3 (075.1 US)

Group Art Unit: 1644

Examiner: R. Schwadron

BOX SEQUENCE

Assistant Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing (37 CFR 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

31 March 2000

Date of Signature and of Mail Deposit

By:

Jeanne M. DiGiorgio
Jeanne M. DiGiorgio
Reg. No. 41,710
Attorney for Applicant

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO
ACID SEQUENCE DISCLOSURES**

Dear Sir:

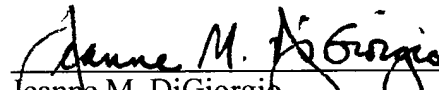
Responsive to the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures" and the Examiner's Communication dated March 2, 2000 (a copy of both is attached herewith), Applicants have amended the Sequence Listing submitted on December 15, 1999 to correct the identification of hydroxyproline in the sequences found in Figure 2 and the specification.

A paper copy of the corrected Sequence Listing and a computer readable form of the sequence listing (diskette), which is identical in substance to the paper copy of the Sequence Listing, in accordance with 37 C.F.R. §1.821(c) and (e), are also submitted herewith.

No new matter has been added to the application. Accordingly it is respectfully requested that the above amendments be entered.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Jeanne M. DiGiorgio
Registration No. 41,710
Attorney for Applicants

28 State Street
Boston, MA 02109

Dated: March 31, 2000